

APR 28 2008

PAGE 1/2: RCVD AT 4/28/2008 5:51:43 PM [Eastern Daylight Time] : SVR:USPTO-EF-XRF-6/6 : DNS:2738300 : CSID:2039440245 : DURATION (mm:ss):00:32:01

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Approved for use through 08/30/2007. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

| Applicant Initiated Interview Request Form | | | | | |
|--|--------------------|--|-----------------------------------|---------------------------------------|--------------------------|
| Application No.: <u>10/775,376</u> | | First Named Applicant: <u>Mark E. Molander</u> | | | |
| Examiner: <u>Jeffrey Brier</u> | | Art Unit: <u>2628</u> | | Status of Application: <u>pending</u> | |
| Tentative Participants: | | | | | |
| (1) <u>John Garity</u> | | (2) _____ | | | |
| (3) _____ | | (4) _____ | | | |
| Proposed Date of Interview: <u>4/29/08</u> | | | Proposed Time: <u>3pm</u> (AM/PM) | | |
| Type of Interview Requested: | | | | | |
| (1) <input checked="" type="checkbox"/> Telephonic (2) <input type="checkbox"/> Personal (3) <input type="checkbox"/> Video Conference | | | | | |
| Exhibit To Be Shown or Demonstrated: <input type="checkbox"/> YES <input type="checkbox"/> NO | | | | | |
| If yes, provide brief description: _____ | | | | | |
| Issues To Be Discussed | | | | | |
| Issues (Rej., Obj., etc) | Claims/ Fig. #s | Prior Art | Discussed | Agreed | Not Agreed |
| (1) _____ | _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) _____ | _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) _____ | _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) _____ | _____ | _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Continuation Sheet Attached | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brief Description of Arguments to be Presented: <u>Client requests allowable claim</u> <u>be extracted from descriptions. Propose combining independent +</u> <u>dependent claims + See sheet 2</u> | | | | | |
| An interview was conducted on the above-identified application on _____ | | | | | |
| NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). | | | | | |
| This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible. | | | | | |
| Applicant/Applicant's Representative Signature <u>John A. Garity</u> | | | Examiner/SPE Signature _____ | | |
| Typed/Printed Name of Applicant or Representative _____ | | | | | |
| Registration Number, if applicable _____ | | | | | |

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to do (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Sheet 2/2

Telephone Interview Discussion Points
S.N. 10/775,376

Fax dated April 28, 2008

Ref. Interview 4/29 at 3pm

My goal with this telephone interview is to try and identify any subject matter that you consider may be patentable over the prior art of record. I am explicitly *not* looking for a concrete statement from you concerning the allowance of any claims. Rather, I would appreciate your assistance, opinions and suggestions concerning amendments for independent claim 1 that, in your view, might make claim 1 allowable over the prior art of record.

For example, in the RCE filed on October 30, 2007, we amended the claims to describe the indicia and the graphical symbols. Further, we added new claims 21-24. If claim 1 were amended to include subject matter corresponding to dependent claims and/or one or more of these newly added claims, do you think that would help in getting past the current prior art and rejections? At this time, and without any admissions concerning the prior art or the previous rejections of the claims, we are willing to bring one or more of the dependent claims up into independent claim 1 in order to attain allowance. I welcome any and all assistance you can provide in this regard and look forward to discussing this matter with you in a telephone interview.